

REMARKS

Claims 12-22 remain in the application. Claim 12 is amended to correct an error of an apparent nature. All of the claims are newly rejected under Section 103 over Torch (U.S. 6,542,081). These new rejections under Section 103 are traversed without amendment for the reasons which now follow.

The claims are directed to a method for monitoring a technical installation and a method for performing a diagnosis of a technical installation. Specifically, the elements of method claim 12 require acquiring “a physiological reaction of a human during an inspection tour of a portion of the technical installation” and analyzing recorded information “to diagnose an operational condition of a component of the technical installation.”

Claim 18 requires acquiring a physiological reaction “during an inspection tour by the human around a portion of the technical installation” and “analyzing information ... to determine a condition of a portion of the technical installation.”

In contrast to claims 12 and 18, the Torch reference discloses none of the foregoing features. The rejection makes no effort to find or even allege a presence of the above recited features in the prior art. The present rejection contains deficiencies akin to those which necessitated filing of the appeal brief on 3 July 2007. Issuance of a patent has been delayed on the basis of defective prior art rejections. This delay continues. The Examiner is requested to withdraw the art rejections and pass the application to issue.

Conclusion

All of the claims satisfy the requirements of Section 101, 102 and 103. No prima facie case of obviousness has been made to reject the claims. All of the claims are patentable over the prior art and the application is in condition for allowance. The Commissioner is hereby authorized to charge any appropriate fees due in connection with this paper, including the fees specified in 37 C.F.R. §§ 1.16 (c), 1.17(a)(1) and 1.20(d), or credit any overpayments to Deposit Account No. 19-2179.

Respectfully submitted,

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